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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE ADOPTION OF)
REGULATIONS GOVERNING THE FILING)
OF TARIFFS BY PUBLIC UTILITIES) PSC REGULATION DOCKET NO. 16
FOR RATES, TERMS, AND CONDITIONS)
OF POLE ATTACHMENTS)

FINDINGS, OPINION AND ORDER NO. 3092

AND NOW, to-wit, this 26th day of September, A.D. 1989, the Commission, for the reasons set forth hereinbelow, enters the following Findings, Opinion and Order adopting, effective November 1, 1989, a regulation governing the terms, conditions, and rates for the attachment to and use of public utility poles, ducts, and conduits. -1

I. BACKGROUND

1. By Order No. 2917, dated January 26, 1988, the Public Service Commission of Delaware ("the Commission" or "the PSC") initiated this rulemaking proceeding, pursuant to 26 Del. C. §209 and 29 Del. C. Ch. 101, to consider regulations governing the rates, terms, and conditions for attachments to and the use of space within public utility poles, ducts, conduits, rights-of-way, and other utility facilities. The General Assembly of the State of Delaware specifically granted authority to the Commission to deal with such matters by a modification of 26 Del. C. §201 in June, 1985.

2. By the same Order, the Commission designated a Hearing Examiner, pursuant to 26 Del. C. §502 and 29 Del. C. Ch. 101, to conduct a public hearing concerning the draft regulations proposed by the Commission Staff. In addition, the Commission invited all Commission-regulated electric and telephone utilities, Commission-franchised cable television companies, the general public, and any other interested persons to comment on those draft regulations and to participate in the rulemaking proceedings.

3. Pursuant to the Commission's Order, comments were to be filed on March 14, 1988, and a public hearing would be held on April 7, 1988. At the request of the electric utilities, however, the hearing was rescheduled to May 5, 1988 with comments from all participants to be filed on April 20, 1988. Comments were timely filed by The Diamond State Telephone Company ("DST"), Delmarva Power & Light Company ("DP&L"), Delaware Electric Cooperative, Inc. ("DEC"), and the Cable Television Association of Maryland, Delaware, and the District of Columbia ("the Association").

4. In its comments, the Association suggested that all participants be allowed either another round of comments or a "Roundtable Discussion" with all interested parties prior to formal hearings, so that all the issues could be identified. The Hearing Examiner concurred with that suggestion and, by letter dated April 22, 1988, granted the participants additional time within which to further study all filed comments, to meet

informally, and to file additional comments if they chose to do so. The participants met informally and, subsequently, all filed reply comments on June 27, 1988. On August 11, 1988, the Commission Staff submitted a revised draft of the proposed regulations based upon its review of those comments.

5. Upon due public notice, on September 8, 1988, the Hearing Examiner conducted a public hearing concerning the proposed regulations. No member of the public filed comments or attended the hearing. Attending the hearing were, on behalf of the Association, Edward T. Rutter of Cooper-Rutter Associates, and Edward G. Banks, Jr., Esquire; on behalf of DST, Daniel E. Monagle, Esquire; on behalf of DP&L, Barry Sheingold, Esquire; on behalf of DEC, Lawrence B. Cope, a Rate Analyst with the National Rural Utilities Cooperative Finance Corporation ("CFC"), and John Terence Jaywork, Esquire; and the Commission Staff, represented by Commission Rate Counsel, James McC. Geddes, Esquire, and Richard W. LeLash, a consultant with the Georgetown Consulting Group. Evan Wilner, the Public Advocate, did not attend the hearing nor participate in this proceeding in any manner.

6. At the conclusion of the hearing, the Hearing Examiner afforded all participants an opportunity to file supplemental comments addressing Staff's proposed revisions to the proposed regulations. By September 28, 1988, all participants filed comments. In addition, the participants were given the opportunity to file memoranda, if they so chose, on the issue raised by DEC and the Association as to whether or not the

provisions of 26 Del. C. §201 required the Commission to adopt regulations governing pole attachment rates. Subsequently, upon application by Counsel for the Association, the Hearing Examiner allowed the Association to file additional testimony of its expert witness, Edward T. Rutter, and allowed the participants an opportunity to file further comments or testimony responsive to the Association's submission. Staff and DST filed additional brief comments, and DEC filed rebuttal testimony of its expert, Mr. Lawrence B. Cope.

7. After a review of the additional testimony and further comments, the Hearing Examiner afforded the parties an additional opportunity for written submissions. Thereafter, on June 12, 1989, the Hearing Examiner filed his report and recommendations with the Commission based upon the record in this proceeding. All parties were afforded the opportunity to take written exceptions to the report of the Hearing Examiner. All participants filed exceptions and the matter was placed on the Commission agenda for oral argument and deliberation.

II. POSITIONS OF THE PARTICIPANTS

Cable Television Association of Maryland, Delaware, and the District of Columbia

8. In its initial comments, the Association, through its expert witness Edward T. Rutter, emphasized that any regulations concerning pole attachments should apply only to common-use attachments for poles and conduits, and should deal

only with terms, conditions, and rates related to pole attachments. In addition, the Association expressed concern about several aspects of the initial draft regulations. The Association claimed that the proposed regulations place cable television ("CATV") operators in a subordinated position because, under their provisions, a pole owner has the right to refuse a CATV operator attachment rights. The Association was concerned about this provision because in some jurisdictions electric utilities are overbuilding and competing directly with cable operators. In addition, the use of fiber optic trunk cable clearly gives the telephone utilities the capacity to compete with cable operators.

9. A second area of concern to the Association related to the proposal that pole attachment rates be embodied in filed tariffs. The Association contended that the renting of space on poles is not a utility service because such space represents unused public utility property. Therefore, CATV operators are clearly not "utility customers" in the traditional sense, and the rates related to pole attachments should not be treated as other utility tariffs. According to the Association, this view is consistent with the requirements of the Federal Pole Attachment Act (47 U.S.C. §224(C)(2)).

10. The Association recommended that, at most, the Commission should adopt procedures for (1) establishing maximum and minimum rates which allow the utilities, at their discretion, to set attachment rates within that range, and (2) which allow

attaching entities to challenge, at their option, any pole attachment rate in a complaint proceeding before the Commission. In addition, the Association asserted that the proposed regulations should be modified to reflect "just and reasonable rates" as defined by the Federal Act. Such modification is appropriate because the Federal Act is "the result of long and detailed proceedings which had the benefit of the expertise of many affected parties." (Ex. 3 at 6.) Furthermore, in developing maximum rates, the Commission should consistently apply basic ratemaking principles, which prohibit subsidization and dictate that rates should be cost-based. The Association considered Staff's proposed 200% cap on pole attachment rates to be arbitrary.

11. In addition, the Association contended that only those costs which are directly attributable to the attachment should be recognized in pole attachment rates. He concluded, therefore, that the cable operator is subsidizing the utility customer if the pole attachment rate is set at a level higher than directly attributable costs.

12. Finally, the Association expressed concern that the regulations apply to "rights-of-way or other similar facilities owned or controlled by any public utility." In addition to attachments to poles and conduits, the Association considered that provision flawed and beyond the authority of the Commission because, in many instances, the utility occupying a right-of-way has no right to extend occupancy to another utility.

13. In reply comments, the Association reiterated its initial position and underscored its opinion that the issues of make-ready costs and private rights-of-way need to be more fully addressed in this proceeding.

14. At the hearing, counsel for the Association requested, and was granted, leave to address the issue of whether 26 Del. C. §201 required the Commission to regulate pole attachments. In its memorandum on this issue, the Association conceded that the Commission was so mandated.

15. In post-hearing comments, the Association further contended that Staff had ignored the historical development of federal pole attachment regulation, had sought neither information, advice, nor the cable operator's perspective in developing the proposed attachment regulations and, as a result, had prejudiced the Association because only the utility perspective was sought and utilized.

16. In summary, the Association's position is that Staff's proposed regulations should not be adopted. Instead, the Commission should adopt regulations which endorse the current practice of open negotiation. In the Association's view, the Commission should adopt the rate-setting formula established by the Federal Act because time and practice have verified the integrity of that formula. The Association also recommends that without further inquiry into the issues of utility rights-of-way and make-ready charges, the Commission should decline to exercise

jurisdiction over rights-of-way and should not adopt Staff's proposed make-ready rate formula.

Delaware Electric Cooperative, Inc.

17. In its initial comments, DEC argued that the provisions of 26 Del. C. §201 do not require the Commission to enact regulations regarding pole attachments and recommended that the Commission should decline the opportunity to exercise jurisdiction over pole attachments. According to DEC, there is no need for such regulation because the utilities and CATV operators in Delaware have successfully conducted the business of providing and using pole attachment facilities without any form of regulation for more than twenty (20) years. In addition, DEC asserts that if governmental intervention is required to resolve occasional disputes, the FCC is available for that purpose. Furthermore, DEC contends, the relatively small amount of revenues to be derived from pole attachments do not justify the expense associated with regulating tariffed pole attachment rates.

18. DEC also suggests that if the Commission determines that it will regulate pole attachments, then the Commission should consider adopting "bare bones" regulations modeled after those established by the Maryland Commission. According to DEC, the Maryland pole attachment regulations are appropriate because they fulfill the requirements of 47 U.S.C. §224 while allowing utilities and CATV operators to reach mutual agreements concerning pole attachments without having to result to potentially expensive regulatory proceedings. According to DEC, another advantage of adopting the Maryland-type regulations

would be to afford affected parties an opportunity to appear before the Commission to resolve disputes, thus obviating the need to unnecessarily expend the Commission's time and resources regulating pole attachments.

19. DEC recommended that the Commission should not adopt Staff's proposed formula for establishing rates "because [the formula] does not fairly allocate the true costs of. . .poles and results in the 'host' utility substantially subsidizing the operations of the attaching utility or CATV operator." DEC asserted that Staff's formula is deficient because it is based upon the FCC formula, which is established upon a philosophy that costs should be allocated "on the basis of the percentage of usable space 'allocated to' (or 'occupied by') the attaching. . .entity."

20. Instead, DEC proposed a formula which took into account other cost factors. Underlying DEC's suggested formula is the concept that a pole consists of two (2) cost components, a support component and a usable space component. According to DEC's expert, Lawrence B. Cope, the support portion of a pole includes both the under- and above-ground portion of the pole "up to the point where the lowest attachment is made." The usable space portion of the pole consists of that portion of the pole to which cables and wires are attached. Under the DEC formula, the costs for the support portion of the pole are shared equally among all users while the usable space portion of the pole is allocated according to the space required by each user.

21. DEC incorporated its proposed formula in a "counter-proposal" which it submitted on June 27, 1988. Among other things, DEC proposed that the minimum and maximum rate for conduits, ducts, rights-of-way or other similar facilities should be, respectively, not less than the incremental cost of providing the facility for attachment "nor more than an annual amount determined by allocating the cost of such conduit, duct, right-of-way, or other similar facility equally among all users thereof;" and that pole attachment rates should not be regulated by filed tariffs but by contracts negotiated between the utility and CATV operator. The counter-proposal also specified a procedure by which the Commission would approve such agreements and by which complaints or disputes concerning such agreements would be resolved.

22. In summary, DEC takes the position that the Commission should decline to regulate pole attachment rates because there is no need for such regulation. However, if the Commission determines that it should adopt some form of regulation, then the Commission should adopt DEC's counter-proposal, which is appropriate because it is minimal and properly addresses the issue of pricing.

Delmarva Power & Light Company

23. In initial comments, DP&L asserted that pole attachments should be regulated by the Commission as proposed. DP&L suggested, however, that although rates governing pole attachments should more accurately reflect the cost of providing

attachment services, such rates should not be subject to tariff regulation as proposed by Staff. DP&L explained that except for pole attachments by CATV companies, terms and rates for pole attachments are currently governed by contracts with the attaching companies. According to DP&L, its current practice of determining pole attachment rates by contractual agreement does not require extensive record keeping and cost accounting, works very well, and is mutually beneficial. DP&L argues that changing from the "contract approach" to a tariff-style form would disrupt what it considers "a balanced arrangement and create operational problems that are unwarranted," especially in pole attachment arrangements with unregulated entities such as municipalities. In addition, DP&L asserts that regulating pole attachments by tariff would unjustifiably increase its costs because the expenses incurred to file a pole attachment rate case would be disproportionate to the revenues derived from such attachment.

24. Thus, DP&L proposes that it be allowed to continue its present policy of maintaining contracts with the attaching companies, with such contracts subject to Commission review. According to DP&L, this proposal fulfills the regulatory mandate of 26 Del. C. §201.

25. In reply comments, DP&L reiterated its view that the cost of tariff-style pole attachment regulation would be disproportionate to the revenues to be derived therefrom and supported DEC's concept that the cost of the support component of

poles should be shared equally among all users. However, although DP&L favored a "fully allocated cost approach for pole attachment rates" among utilities, it indicated that it did not oppose a lower, "subsidized" rate which would be limited to CATV companies.

26. DP&L urged that Staff's proposal with respect to "make-ready" and other non-recurring charges be modified because Staff's proposal limits such charges to "one hundred twenty-five percent (125%) of directly attributable incremental costs." DP&L contends that those charges should not be regulated at all, and that the Commission should intervene only if a complaint is brought before it concerning a dispute arising from such charges between utilities and attaching entities. Nonetheless, DP&L urged that if the Commission determines that it should adopt a ceiling for make-ready charges, that such ceiling should be one hundred twenty-five percent (125%) of "reasonably attributable costs, whether such costs are determined on an incremental or allocated basis."

27. DP&L noted that recently the Commission has authorized more than one CATV company to serve the same franchise area and, therefore, requested that the Commission authorize DP&L to require such cable companies to identify, at their own cost, their respective attachments.

28. In summary, DP&L's position is that the Commission should regulate rates governing pole attachments, but it should take a minimalist approach to such regulation by permitting rates

to be established through contractual negotiations rather than by formal tariffs. In addition, DP&L urged the Commission not to regulate make-ready and other non-recurring charges; however, if the Commission were to determine that it is appropriate to regulate such charges, the maximum rate should include reasonably attributable costs, whether such costs are incremental or allocated. Finally, DP&L requested that where more than one CATV company places an attachment on a utility pole, the Commission authorize that utility to require such CATV companies to identify, at their own cost, their respective attachments.

The Diamond State Telephone Company

29. DST supported Staff's proposed pole attachment regulations and recommended that the Commission reject DEC's counter-proposal because "comprehensive tariff regulation. . . is preferable to the minimal 'contract regulation' proposed by DEC." DST disputed the contentions raised by DEC and DP&L that regulating pole attachments by tariff is not only unwarranted but will result in increased regulatory costs. DST asserted that tariff regulation of pole attachments will be more effective in holding down regulatory costs because it will permit a proposed rate increase to be adjudicated in a single tariff proceeding rather than seriatim in a number of individual complaint proceedings arising from individual contract rate disputes. DST urged the Commission to reject the Association's recommendation that the Commission modify Staff's proposed rate formula to adopt the FCC's rate-setting formula. Staff's proposed rate formula is

reasonable, DST contends, because it "include[s] a contribution component covering, inter alia, indirect costs and common overheads."

30. Furthermore, because it considered the FCC rate-setting formula "abysmally low," DST viewed the rate caps established by the revised attachment regulations as reasonable. DST asserted that in terms of dollars, using Staff's proposed maximum rate would increase rates for CATV companies from the existing level of \$2.22 to \$4.44 per attachment per year. Nonetheless, in DST's view, Staff's proposal appears to provide CATV companies a preferential rate in the event a utility decides to seek a higher rate for other non-utility customers.

31. With respect to the Association's argument that it is not a utility customer because pole attachments are not a utility service, DST contended that although the provision of pole attachment facilities may not be considered a traditional public utility service, it has more than sufficient indicia of utility service to warrant its being offered under tariff.

32. In summary, DST fully supports Staff's proposed regulations with some minor language modifications and urges the Commission to adopt them.

The Public Service Commission Staff

33. Staff, through its consultant, Richard W. LeLash, testified that there are two potential alternatives to Commission regulation of pole attachments: (1) Establishment of formal tariffs, and (2) use of a minimalist approach of allowing pole

attachments to be regulated by contractual arrangements negotiated by the parties. Staff asserted that its proposed regulations represented an attempt to "bridge the gap" between these two alternatives.

34. According to Staff, the proposed regulations apply only where a utility chooses to enter a contractual relationship with an attaching entity concerning the use of pole space. He noted that the proposed pole attachment tariffs are very informal because they permit the utilities to submit contract forms in lieu of a formal tariff. Furthermore, the proposed regulations bring uniformity to the existing patch-work quilt of contracts, understandings, and agreements, and are consistent with the utilities' stated desire to "keep it simple."

35. At the crux of Staff's proposed regulations are Sections 6 and 7, which attempt to develop two (2) distinct tiers of tariffs. One tier applies to CATV companies and public utilities. The second tier of tariffs applies to all other attachment customers. The tariff applicable to utilities and CATV companies incorporates an above-cost rate subject to a percentage cost cap. The tariff applicable to all other attaching entities incorporates a rate that is essentially without limit, but is subject to considerations of "general reasonableness." Staff recommended two distinct tariffs because cable companies and attaching utilities are vested with a public interest; hence, the level of rates affecting them should be protected by the Commission. On the other hand, as between the

host utilities and non-utility attaching entities, there was no need for similar protection by the Commission.

36. Staff did not recommend adopting the FCC formula because it produces an unfair rate. The FCC rate is a very minimal rate when compared to the avoided cost of installing pole facilities. The FCC rate-setting formula is inappropriate because cost is allocated purely on an incremental basis, forcing the pole owner to assume all of the embedded costs. Staff, therefore, recommended that the host utility should be allowed to price pole attachment rates at a level higher than that prescribed by the FCC formula.

37. In addition, Staff felt that there was some inherent subsidization under the FCC formula because it "does not adequately take into account the ongoing costs of the maintenance of pole lines and. . .[other] ancillary expenses." Consequently, Staff urged that rates be set in such a way that the regulatory prohibition against subsidization will be strictly observed. Furthermore, Staff asserted that the FCC rate is unduly restrictive and has engendered much litigation. Finally, Staff suggested that the utilities should be reimbursed for out-of-pocket costs and should earn a contribution allowance over cost to insure full collection of cost and to grant an offsetting contribution on the service.

38. Staff noted that the basic difference between its proposal and the FCC's approach is that its formula includes a contribution allowance (not to exceed 200% of costs attributable

to the attachment) to cover indirect expenses, general overhead, and market conditions.

39. Staff admitted that Mr. LeLash's selection of the 200% figure for the recommended cap was rather arbitrary. Nonetheless, Staff thought it reasonable when placed in the context of the incremental cost versus the alternative of an attaching entity having to install its own pole, and expressed confidence that the recommended cap represented an ample but not unreasonable allowance for contribution, and reasonably balanced the utility interest and the CATV interest.

40. Staff's proposed rate formula does not include make-ready charges; rather, it allows the utilities to employ current procedures for determining these one-time expenses. Although normally such charges are made on a cost basis, the proposed regulations merely limit the markup that could be added to that cost. Turning to the reasons for the 125% markup for make-ready costs, Staff explained that, generally, it wished to avoid the indirect cost allocation factors; thus, it omitted those factors and allowed a 25% profit margin. Rather than consider the individual costing methodology of the utilities, Staff sought to simplify matters, and suggested that the parties use the direct and identifiable attributable costs plus a reasonable margin. Staff argued that this Commission should not adopt regulations similar to those adopted in Maryland because it would generate "an incredible amount of litigation." Though such rules may be workable where there exists a commonality of purpose

and objective, it appears that there exist conflicting objectives among the CATV operators and the regulated utilities in Delaware.

41. Thus, Staff's position in this proceeding is that its proposed regulations should be adopted because they insure full collection of the cost of providing pole attachment service. In addition, Staff asserts that its proposed regulations bridge the gap between the two potential alternatives to regulating pole attachment rates: (1) the minimalist approach of no regulation, or regulation by contractual arrangement between host utility and attaching entity, and (2) formal regulation by tariff.

III. DISCUSSION

42. The General Assembly has determined that good cause exists for the regulation in the public interest of public utility pole attachments. It has, therefore, enacted certain revisions to the Commission's enabling legislation to permit the Commission to enact such rules and regulations as the Commission, after due public consideration, deems appropriate and necessary to carry out the provisions of Chapter 1 of Title 26 of the Delaware Code relating to the regulation of public utilities.

43. The Commission has adopted the regulations attached hereto in an effort to apply the minimum degree of regulation necessary to comply with the legislature's intent and to prevent abuse by either the utilities or the entities which rent space on utility poles or in utility conduits.

44. One of the matters which concerned both Staff and the Hearing Examiner in this proceeding was the situation where a public utility, acting through a subsidiary or otherwise, seeks to use utility facilities in such a manner so that it is essentially negotiating with itself for pole attachments.

45. The Commission does not believe, at this stage in the development of the provision of video and other communications services by electric utilities, that the potential for cross-subsidization and anti-competitive behavior is such as to necessitate the requirement of full tariff-type regulation to protect the public interest at this time. However, all such activities by regulated utilities with affiliates are subject to special scrutiny by the Commission and are expected to be fully and entirely fair. Therefore, all pole attachment agreements between related or affiliated entities will be carefully reviewed and may become the basis for investigations by the Commission into the justness and reasonableness of the terms, conditions, and rates of such agreements.

46. Finally, it is unnecessary for the Commission to seek, in its regulation, to deal with the concern expressed by the Association regarding the extent of the utilities' authority to grant pole attachments. This is a matter which can be resolved by utilities in the documents whereby they acquire easements. Additionally, the applicable Delaware statute (26 Del. C. §613) empowers duly franchised CATV companies to acquire

by condemnation easements in existing utility rights-of-way to the extent there is any additional burden.

IV. FINDINGS

47. The Commission, on the basis of the evidence and argument presented, finds and concludes:

- A. The Commission has jurisdiction over this matter pursuant to 26 Del. C. Section 209 and 26 Del. C. Section 201 (64 Del. Law. Ch. 227).
- B. That the General Assembly of the State of Delaware has required that this Commission exercise regulatory authority over the terms, conditions, and rates for any attachment to any pole, duct, conduit, right-of-way, or other facility of any public utility.
- C. That in the exercise of such regulatory authority, the Commission has the discretion to adopt a regulatory system permitting utilities and customers for pole attachment services to negotiate rates, terms, and conditions for such attachments which both parties deem to be reasonable, within guidelines established by the Commission for the protection of the public interest. x 1
- D. That the regulations hereto attached which substantially embody the proposals of the Delaware Electric Cooperative, dated June 28, 1989, establish a reasonable and efficient

method for establishing and fixing just and reasonable rates, terms, and conditions for utility pole attachments, and adequately consider and protect the interest of the customers of attaching entities, as well as the customers and stockholders of the host utility and the general public of the State of Delaware. #2

E. That the Commission, upon the adoption of the regulations hereto attached can, and should, certify to the Federal Communications Commission, pursuant to the requirements of 47 U.S.C. §224(C), that the Public Service Commission of the State of Delaware has actually issued and made effective rules implementing its existing authority over pole attachments, and that such regulations appropriately consider the interests of subscribers of cable television services and provide for the prompt resolution of cable operator complaints. #3

F. That the Delaware Administrative Procedures Act (29 Del. C. Ch. 101) which places the burden of proof upon the applicant or proponent (29 Del. C. §10125(c)) does not supercede, alter, or affect the provision of

26 Del. C. §307 which specifically places upon public utilities the burden of proof in any proceeding on motion of the Commission, or upon complaint, or upon application of the utility to establish that the rate involved is just and reasonable.

- G. That, in the negotiations between utilities and attaching entities, issues such as a requirement for having the attaching entity clearly identify its attachments can and should be addressed.
- H. That, under the circumstances of this proceeding, particularly where all utility and CATV participants have agreed that regulations permitting negotiations between the parties under Commission imposed guidelines are preferable to any requirement that traditional public utility tariffs be required for pole attachment service, the Commission finds that regulation by proscription rather than by prescription is appropriate.

V. ORDER

NOW, THEREFORE, IT IS ORDERED:

1. That, on the basis of the foregoing findings and conclusions, the regulations hereto attached are adopted by this Commission effective November 1, 1989.

2. That the Executive Director shall forthwith transmit a copy of said regulations to the Federal Communications Commission and is authorized to certify to that agency that the Delaware Public Service Commission has made effective regulations which implement this Commission's authority over pole attachments in compliance with 47 U.S.C. §224(C).

3. That the Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

Mary M. Norling
Chairman

Carle J. D.
Vice Chairman

Donald D. Phillips
Commissioner

John W. Filler
Commissioner

John R. M. Clelland
Commissioner

ATTEST:

Bethanne Scott
Secretary